



Dodd del.

Placart sculp.

*M^{rs} Newton bathing in the River Trent,
Assisted by M^{rs} Bagges.*



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THE SECOND PART OF
THE
T R I A L

OF THE
Hon. Mrs. Catherine Newton,
Wife of JOHN NEWTON, Esq;

AND
Daughter of the Right Honourable and
Reverend Lord Francis Seymour;

AT THE
Consistory Court of DOCTOR'S COMMONS;

UPON A
LIBEL AND ALLEGATIONS,

Charging her with the Crime of

A D U L T E R Y

WITH

Mr. Isham Baggs, a young Oxonian; Mr. Brett,
a Player at Bath; Thomas Cope, Mrs. New-
ton's Coachman; Isaac Hatheway, her Footman;
John Ackland, of Fairfield, in the County of So-
merfet, Esquire; and divers other Persons. With
all the interesting Scenes, fully, minutely, and cir-
cumstantially displayed.

Containing the Whole of the
Evidence in that very Extraordinary TRIAL.

THE THIRD EDITION.

L O N D O N:
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No. 137, Fleet-street; G. Lister, No. 46, Old Bailey;
and all the Booksellers in Town and Country.

MDCC LXXXII.

Rec. Apr. 11, 1904.

THE
T R I A L
OF THE
Hon. Mrs. CATHERINE NEWTON.
FOR A
*Divorce from Bed, Board, and mutual
Cohabitation, by reason of Adultery, &c.*

P A R T II.

THE depositions of the witnesses, produced, sworn, and examined, upon the several positions of a certain allegation, in a certain cause, which originally was a cause of a restitution of conjugal rites, promoted by the Hon. Catherine Newton, (wife of John Newton, Esq;) against the said John Newton her husband; and which now is a cause of separation, or divorce from bed, board, and
A mutual

mutual cohabitation, by reason of adultery, at this time prosecuted by the said John Newton, Esq; against the said Catherine, his wife.

The Deposition of Hannah Foxwell.

HANNAH FOXWELL, of the city of Wells, in the county of Somerset, spinster, aged twenty-one years, a witness produced and sworn.

To the first and fifth articles of the said allegation, this deponent saith, that she first came to know Catherine Newton, party in this cause, by her residing at Wells with her father, the Dean of Wells, and coming to visit at her aunt's (Mrs. Wickham's) who lives directly opposite to the house of Mr. John Rocke, a surgeon and man-midwife at Wells, with whom this deponent lived servant from the month of April, 1780, for a twelve-month: that very shortly after this deponent went servant to Mrs. Wickham, Mrs. Newton took a house, as the deponent was informed, at Stowey, and went to reside there, but still continued visiting at her aunt's, and thereby this deponent became

became well acquainted with her person ; and this deponent hath, at times, previous to her going to reside at Stowey, seen her walking about Wells with Captain Ackland : but further to these articles she cannot depose.

To the seventh, eighth, ninth, and tenth articles of the said allegation, this deponent saith, that on a morning, happening some time in, or about the month of August or September, 1780, and whilst the deponent lived servant with the said Mr. Rocke, this deponent well remembers, that Mrs. Newton came and breakfasted with Mr. and Mrs. Rocke ; but what conversation passed between them then, she knows not : that some time in, or about the beginning of October, 1780, this deponent was first informed by Mr. Rocke, that he had let some rooms in his house, which were then occupied by a Dr. Stevenson, to some ladies ; and that Dr. Stevenson must go out ; for that they wanted to be there ; and Dr. Stevenson did accordingly quit the said lodgings, some time in, or about the latter end of the said month of October, 1780. And this deponent saith, that Mrs. Rocke informed this deponent, that one of the ladies that was coming was named Smith,

and that she was out of her mind ; and she at first said, that the said lady was with child, but afterwards told the deponent she was not with child ; and that it was only the lady's whim. And this deponent further saith, that, on a Monday night, happening about three or four days after Dr. Stevenion had left the said lodgings, Mr. Rocke having been out on horseback all day, the said Mrs. Rocke (before her husband came home, and at about ten o'clock) directed the deponent and the servant boy to go to bed ; which was the more unusual, by reason that the boy always sat up to take his master's horse into the stable. That this deponent's fellow servant, Patty Forster, who was a stranger in Wells, and had been in the service of Mr. Rocke about six weeks was permitted to sit up. And this deponent saith, that the next morning, she found that the two ladies who were expected, were come ; and was told by Mrs. Rocke, that they came between twelve and one that morning : and Mrs. Rocke told this deponent, that the lady, who was disordered, in her senses, did not choose to see any body that she could help seeing ; and this deponent was not, therefore, permitted to wait on the said ladies ;
but,

but, during the whole time they were in Mr. Rocke's house, they were constantly attended and waited on by Mr. and Mrs. Rocke only. And this deponent saith, that having in conversation with Mary Kerle, mentioned to her the circumstance pre-deposed to, the said Mary Kerle, in about a week or ten days afterwards, told this deponent, that she had seen one of the said ladies at the window, and that she was positive it was Mrs. Newton; and therefore this deponent determined herself to be convinced thereof; and, in about three days afterwards, this deponent being up stairs for the purpose of making the bed, in which the said two ladies slept, and the bed room being next adjoining to the dining-room, wherein they sat in the day-time, this deponent went softly up to the door: and this deponent saith, that the said door, which separated the said two rooms, did not shut close by at least a third of an inch; and this deponent was enabled thereby to look into the said dining-room, and, through the said opening, did there plainly see Mrs. Newton, sitting between Mr. and Mrs. Rocke; and there was also another lady in the said room. That this deponent had a full view of the person of the said Mrs. Newton; and she appeared

appeared to this deponent to be very big with child. And this deponent saith that very shortly afterwards, the deponent found a letter in the aforefaid bed-chamber, and, being herself unable to read writing hand, she carried the same to the apprentice, who looked at it, and said it was a copy of a letter from Mrs. Newton to Captain Ackland. And this deponent saith, that on, or about three weeks after Mrs. Newton and the other lady came to Mr. Rocke's house, Mrs. Newton was, in the night, delivered of a child by the said Mr. Rocke, as this deponent verily, and in her conscience believes, by reason of the preparation made use of the evening before; and also, by reason that the next morning this deponent found her sauce-pans had been used in the night: and this deponent believes the child was carried away to some place by the said John Rocke, by reason that his horse was found saddled in the stable the next morning: that this deponent hath since seen a child at nurse, at a Mr. Sayer's, about a mile from Wells; and which child was very frequently afterwards brought to Mr. Rocke's, whilst this deponent was in the family: that such child was called John Rocke; or, when this deponent or others have

have asked whose child it was, the said Mr. and Mrs. Rocke would laugh and say, *It was their child*; and at other times would say, *It was nothing to any body whose child it was*. And this deponent saith, that one morning, about a fortnight after the time, in which this deponent is convinced the child was born, this deponent missed a hoop out of the dining-room, and from that time, this deponent was convinced only one person slept in the bed, before occupied by Mrs. Newton and the lady with her, although Mrs. Rocke pretended that both the ladies were still in the house; and, about ten days afterwards, the said other lady went away in the night-time, whilst this deponent was in bed, as this deponent verily believes; and Mrs. Rocke said the ladies were gone that night. And further she cannot depose, save that a number of baby cloaths were maid in the family, and in the town of Wells, by the direction of Mrs. Rocke, previous to the said ladies coming to the house.

The mark of HANNAH  FOXWELL.

The

The Deposition of Andrew Dew.

ANDREW DEW, of Stowey, in the county of Somerset, aged thirty-six years, and upwards, a witness produced and sworn.

To the second and third articles of the said allegation, this deponent saith, that he first came to know and be acquainted with John Newton, Esq; and Catherine Newton, his wife, by his being hired, at the city of Bath, to live with them as their servant, some time in the month of March, 1777, that this deponent continued in their service, and went with them to the city of Paris some time the November following, where Mr. Newton and Mrs. Newton separated: and this deponent returned to England with Mr. Newton, leaving Mrs. Newton at Paris. That this deponent continued in the service of Mr. Newton, from such his return from Paris, at King's Bromley, in the county of Stafford, until some time in January, 1778, when this deponent quitted the service of Mr. Newton, and again went to Bath, and there found Mrs. Newton returned from Paris. And the deponent further saith, that, being at Bath,

Bath, and out of place, he received a letter some time in August, 1778, from Mrs. Newton, dated from Henstridge, in the county of Somerset, being about twenty-three miles from Wells, offering to take this deponent as her servant; and the deponent accordingly accepted of such offer, and set off for Henstridge accordingly, and then entered into the service of the said Mrs. Newton, at the house of her father, the Right Hon. and Rev. the Dean of Wells, at Henstridge, and at the Deanery of Wells. And this deponent saith, that, in the latter end of the year 1778, or the beginning of the year 1779, Capt. John Ackland, being quartered at Wells, where Mrs. Newton then was, with her father, the said Capt. Ackland visited at the deanery; and afterwards, when the family returned to Henstridge, (which was in the May following) the said Capt. Ackland came and slept there two or three different times: that, shortly after he came first to Wells, he became very intimate in the Dean's family: but this deponent does not recollect his ever sleeping in the deanery, whilst he was quartered at Wells, in the winter of the year 1778: but this deponent saith that some time in or about the latter end of

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November,

November, 1779, Capt. Ackland came on a visit to the Deanery at Wells, where Mrs. Newton then was with her father. And this deponent saith, that, from that time, Capt. Ackland slept at the deanery; and this deponent hath, in the course of that winter, frequently seen Capt. Ackland and Mrs. Newton walking out arm in arm together, and some times with his arm round her waist: that the deponent hath also known them, in the course of the said winter, go out two or three times together shooting; and, at such times, she would sometimes carry the gun.

To the fifth, sixth, seventh and eight articles of the said allegation, this deponent saith, that some time about the latter end of March, 1780, this deponent attended on Mrs. Newton and Capt. Ackland to Stowey, to look at a house there; which was then taken, as the deponent believes, by the said Mrs. Newton; and that, on or about the first or second of May following Mrs. Newton left her father's house at Wells, and came to Stowey, accompanied by Capt. Ackland; this deponent and his wife being sent there a week before, to prepare the said house; and, in about a fortnight afterwards, Miss Gapper came there also.

And

And this deponent saith, that the said house so taken at Stowey, and into which Mrs. Newton came to reside, was distant from Capt. Ackland's house at Fairfield, about three miles; that Capt. Ackland spent a great deal of his time with Mrs. Newton and Miss Gapper at Stowey; and there was a spare bed in the same house, in which he often slept. And this deponent saith, that after Mrs. Newton had been at Stowey about three months, this deponent observed her to be greatly encreased in size and shape; and did then, from such observation, think she was with child: that sometime in the month of September, 1780, Mrs. Newton went to pay a visit at the house of the Rev. Mr. Bowen, at Bishop's Lydian, about ten miles from Stowey; to which place the deponent attended her; and she stayed there four or five days, and then returned to Stowey; after which this deponent does not recollect her going out, except one morning to Dunster, and back again to dinner, until the 26th of October following, when a chaise came at about one o'clock at noon from Bridgewater, into which Mrs. Newton and Miss Gapper got: that Mrs. Newton had, the night before, informed this deponent's

wife, that she was a going out for a few days; but this deponent was not permitted to attend her, nor had any knowledge where she was then going.

To the tenth and eleventh articles of the said allegation, this deponent saith, that, from the time Mrs. Newton quitted her said house at Stowey, the deponent remained at her said house, but never saw or heard from her, until the evening of the first of December following; when a boy on horseback came before, and acquainted the deponent that Mrs. Newton was coming: and about three quarters of an hour afterwards, (being then between eight and nine o'clock in the evening) Mrs. Newton returned to her said house at Stowey, accompanied by Miss Gapper, in a chaise; which the deponent understood and believes was belonging to a place called Crosse; but which is not the way to Wells. And this deponent saith, that, on such her return to Stowey, this deponent observed a great alteration in her shape and size, insomuch, that this deponent did verily believe that she had laid in: that Mrs. Newton staid at home about a week, and then had a chaise and went to her father's house, at Wells, accompanied by Miss Gapper, and stayed at her

her said father's house about a month, as near as the deponent can recollect, and then returned to her said house at Stowey; at which time the deponent, by her orders, met her with her phaeton at Piper's Inn, in the direct road from Wells to Stowey.

To the twelfth article of the said allegation, this deponent saith, that he is certain the said John Newton, from the time of his arrival at King's Bromley, in the county of Stafford, after his return from Paris, up to the time the deponent quitted his service, constantly resided at King's Bromley aforesaid, apart from the said Catherine Newton: that King's Bromley is, as this deponent verily believes, upwards of one hundred and twenty miles from Wells or Stowey; and, from the time the deponent first went to live with Mrs. Newton, at her father's house, at Henstridge, to the last day of August, 1778, and during the whole of the years 1779 and 1780, until the 6th of October, 1780, when he quitted her house, at Stowey, (except during her absence at that time from her said house) this deponent was constantly attendant upon her in her service: that he is certain she never was at King's Bromley, or had any intercourse with the said John Newton, her husband,

husband, whom this deponent hath never seen since he left her service as aforesaid. And further he cannot depose, save that the said Mr. Newton is, as the deponent believes, upwards of sixty years of age.

ANDREW DEW.

The Deposition of Ann Dew.

September 20, 1781.

ANN DEW, wife of Andrew Dew, of Stowey, in the county of Somerset, aged thirty-one years and upwards, a witness produced and sworn.

To the first, second, and third articles of the said allegation, this deponent saith, that she first came to know and be acquainted with Mrs. Newton, by going to live with her as her servant, some time in the autumn of the year 1778: that Mrs. Newton then resided at the house of her father, the Dean of Wells, at Henstridge, in the county of Somerset, about twenty-three or twenty-four miles from Wells: that this deponent continued in such her service there, until the month

month of May following, when she quitted the same; but still continued in Henstridge, and there saw Capt. Ackland visiting at the house of the said Lord Francis Seymour, at Henstridge: that Mrs. Newton had made an acquaintance with him at Wells, where he was quartered: that this deponent never saw Captain Ackland and Mrs. Newton together at Wells.

To the fifth, sixth, seventh, and eighth articles of the said allegation, this deponent saith, that on the 28th of April, 1780, this deponent again went to live servant with Mrs. Newton, at a house she had taken at Stowey, being about thirty miles, as the deponent thinks, from Wells, and about three miles from Fairfield, where Captain Ackland has a house: that Mrs. Newton came to her said house, at Stowey, on the first of May, 1780, accompanied by Captain Ackland; and, in about a fortnight afterwards, Mrs. Newton went to Henstridge, and fetched Miss Gapper to her said house; and she from that time resided with Mrs. Newton: that a tent-bed was brought from Captain Ackland's, at Fairfield, and put up in a room in Mrs. Newton's house; and Captain Ackland was very frequently backwards and forwards

wards at the house, and slept there very often, previous to his canvas at Bridgewater, at the time of the general election; and the said Captain Ackland used frequently to come a retired way, across the fields; but on what account the deponent knows not. And this deponent saith that at first, when Mrs. Newton came to Stowey, this deponent was permitted to be about her person; but in a little time afterwards, the deponent was not permitted to be with her when she was dressing and undressing; but she would at these times be only attended by Miss Gapper. And this deponent saith, that about the month of July following, this deponent first began to observe an alteration in the shape and size of Mrs. Newton; and she appeared to the deponent from that time, to grow visibly bigger and bigger, and looked very much like a woman with child: that John Rocke, a man-midwife at Wells, came to see Mrs. Newton some time in the month of July, and Captain Ackland was sent for over; but what passed, the deponent knows not: that in September, 1781, Mrs. Newton and Miss Gapper went to pay a visit at Mr. Bowen's at Bishop's Lydian, and stayed two or three days, and then returned to Stowey: that

that Mrs. Newton afterwards went, one morning to Dunster, and returned to dinner, and did not afterwards go out, to the best of the deponent's recollection, until the 26th of October; when, having previously told the deponent she was going home, for a week or ten days, she set off in the afternoon from her said house at Stowey, in a post-chaise, belonging to the King's Head at Bridgewater, which was not the inn, from whence, at other times, she had her chaises: but Mrs. Newton was only accompanied by Miss Gapper; and the chaise drove towards Bridgewater. And this deponent was afterwards informed, and believes, it went to a village called Cross: that Captain Ackland was at Mrs. Newton's when she set off, and handed her into the chaise, at which time she cried very much; and Capt. Ackland that day settled this deponent's book of house-keeping.

To the tenth and eleventh articles of the said allegation, this deponent saith, in the evening of the first of December, after Mrs. Newton left her said house at Stowey, the deponent first heard from her, and then received a note by a boy, who came from Cross, informing this deponent, that she should be at home that

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night to supper; and Mrs. Newton did accordingly come back to her said house at Stowey, accompanied by Miss Gapper, at about eight or nine o'clock that night: that, on such her return home, this deponent remarked, that Mrs. Newton appeared very weak: that she wore a hoop, and nevertheless there appeared an alteration visible in her shape and size. And this deponent did then verily believe that Mrs. Newton had laid in, during such her absence from home. And this deponent saith, that after such her return home, she did not go out for about a week; during which time, Captain Ackland was backwards and forwards at the house, as before: that in about a week after her return home, Mrs. Newton went to Wells and Henstridge, as the deponent believes, and stayed away about a month; and then again returned home.

To the twelfth article of the said allegation, this deponent saith, that she always understood and believes, that Mrs. Newton was separated from her husband; and that he resided at King's Bromley, in Staffordshire, upwards of one hundred miles off: that this deponent never saw the producent to her knowledge; and does not believe there was any communication:

Hon. Mrs. Catherine Newton. 19

nication between Mrs. Newton and the
producent, whilst the deponent lived with
her.

A N N D E W.

The Deposition of Mary Kerle.

September 19th, 1781.

MARY KERLE, wife of John Kerle
of Catgut, in the county of Somerset,
aged twenty-eight years and upwards, a
witness produced and sworn.

To the first, second, and third articles
of the said allegation, this deponent saith,
that she first came to know Mrs. Newton,
by her coming to live at Wells with her
father, the Right Hon. and Rev. Lord
Francis Seymour, some time about three
years since; that this deponent then lived
at Wells, and there understood that Mrs.
Newton was come from France, where
she had been carried by her husband.
And this deponent saith, that after Mrs.
Newton had been at Wells some months,
this deponent observed, that a particular
acquaintance and intimacy was formed

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by

by her with a Captain Ackland, who was an officer in the militia, quartered at Wells; and such their intimacy and familiarity, was much noticed and talked of in Wells; and this deponent hath herself, very frequently, in the course of the year 1779, seen Mrs. Newton and Captain Ackland, walking about, arm in arm, alone together, in the most familiar manner.

To the seventh and eighth articles of the said allegation, this deponent saith, that Mrs. Newton having, in the autumn of the year 1780, quitted her father's house at Wells, and removed to a house she had taken at Stowey, being about two or three and twenty miles off, it became the general report at Wells, that Mrs. Newton was with child; and, sometime in the month of November following, it was reported, that she was come to Wells, and was secretly in the house of Mr. Rocke, a man-midwife there, for the purpose of being delivered; that this deponent, being well acquainted with Hannah Foxwell, a servant in Mr. Rocke's family, and having enquired of her respecting such report, and, being by her informed, that a lady was brought to the house of the said Mr. Rocke secretly, in the night-time

time, and that she was not permitted to see her, this deponent was induced to look up at the windows of Mr. Locke's house, as she passed; and this deponent saith, that one afternoon, in the month of November, 1780, as this deponent was passing along, opposite Mr. Locke's house, she, looking up at one of the chamber-windows of his house, plainly saw Mrs. Newton, who immediately turned away on seeing this deponent: and this deponent saith, that she is positive, that the person she so saw was Mrs. Newton, who was well known to the deponent.

To the twelfth article of the said allegation, this deponent saith, that, to her knowledge and belief, she never saw John Newton, Esq; the producent: that this deponent always understood that Mrs. Newton was a married woman, and was separated from her husband; but never heard of her said husband being at Wells, or coming to see his wife, at any time, after her return to Wells from France.

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The mark of MARY KERLE.

The

*The Deposition of Robert Parry,**September 19, 1781,*

ROBERT PARRY, of Salisbury, aged twenty-nine years, a witness produced and sworn.

To the first, second, and third articles of the said allegation, this deponent saith, that he hath known, and been well acquainted with Mrs. Newton, party in this cause, for several years, and long before her marriage with the producent; this deponent having been employed in teaching her music, and being then resident in the city of Wells, where Mrs. Newton resided, previous to her marriage: that about six years since, as near as the deponent can recollect, the said Mrs. Newton married John Newton, Esq; but some differences arising betwixt her and her husband, she came to reside with her father, Lord Francis Seymour, at the deanery at Wells, some time in the latter end of the year 1778: that this deponent was then still resident at Wells; and, some time in the summer of the year following, to the best of this deponent's recollection, John Ackland, being an officer

cer in the militia quartered at Wells, became intimate in the family of Lord Francis Seymour, insomuch, that he slept at the deanery; and spent great part of his time there; and there more particularly appeared to be a great intimacy formed between Capt. Ackland and Mrs. Newton; and the same, at length, became so very particular, that it was the subject of conversation; that this deponent hath several times, in the years 1779, and beginning of 1780, seen them walking arm and arm together. And this deponent hath seen them coming home from shooting together, when she hath been carrying the gun. And this deponent remembers to have seen them together at a masquerade at Wells, some time in the latter end of 1779, or beginning of the year 1780, both dressed in Turkish habits, and they kept together; and from the general behaviour of Mrs. Newton and Captain Ackland towards each other, there appeared to be the greatest regard and affection subsisting between them.

To the fifth, sixth, and eighth articles of the said allegation, this deponent saith, that, some time in the year 1780, Mrs. Newton quitted her father's house at Wells,

Wells, and went to Stowey, at a house she took there; and which place is distant eight and twenty miles (as the deponent thinks) from Wells, and about three miles from Fairfield, where this deponent has heard Captain Ackland had a house: that, some time in the months of June or July, 1780, the deponent went to pay a visit to Mrs. Newton, at her house at Stowey, and staid there three or four days; that Mrs. Newton was accompanied by Miss Gapper, and expressed to this deponent, that she expected Captain Ackland; and appeared uneasy that he did not come: that one afternoon, whilst this deponent was at the said Mrs. Newton's house at Stowey, Mrs. Newton and this deponent went to Bridgewater, being about three miles from Sir Charles Tent's, where Captain Ackland was then on a visit; and this deponent, at the particular desire of Mrs. Newton, carried a letter from her to Captain Ackland there, and brought back an answer to her. And this deponent saith, that, in conversation that evening, Mrs. Newton expressed great uneasiness to this deponent respecting Capt. Ackland's not having been near her for some days; and declared, that, if Capt. Ackland deserted her,

her, she did not care what became of her; and that she would go upon the town; and she then expressed herself in words to that very effect. And this deponent saith, that, from the circumstances and conversation, by him pre-deposed to, and from the general behaviour of Capt. Ackland and Mrs. Newton towards each other, this deponent was induced to believe, and does verily believe, that a criminal connection was then subsisting between them. And this deponent was, at that time, further convinced that Capt. Ackland resided at Mrs. Newton's house at Stowey, by reason that, whilst the deponent was on his visit there, as aforesaid, not having brought linen enough with him, Mrs. Newton offered him one of Capt. Ackland's shirts; and lent him one accordingly. And this deponent further saith, that towards the latter end of October, 1780, a report prevailed in Wells, that Mrs. Newton was come secretly to the house of Mr. Rocke, a man-midwife in the said city, for the purpose of lying-in: that very shortly after such report gained ground, this deponent having occasion for a recommendation in a musical matter, to a family with whom Mrs. Newton was well acquainted, the depo-

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nent went over to Stowey, to learn if she was there ; and, on his arrival at her house, was informed by her servant, that she had been gone from thence about a fortnight : that they did not know where she was gone, nor when she would return.

To the eleventh and twelfth articles of the said allegation, this deponent saith, that some time near about Christmas last, this deponent again saw Mrs. Newton, who was then on a visit at her father's, and she then appeared to the deponent much altered, and a great deal thinner than when he saw her before. And this deponent saith, that, on the return of the said Mrs. Newton to her father's house at Wells, in the year 1778, the deponent was desired to carry a letter from her to John Newton, Esq; the producent in this cause ; and which letter this deponent understood, was an offer from her to live with him, in order to ground the cause of restitution of conjugal rites, brought by her against the producent : that the deponent did accordingly carry such letter to the producent, who was then resident in King's Bromley, in the county of Stafford, being upwards of one hundred and twenty miles from Wells :

Wells: that the deponent then understood from the producent, that he never would cohabit again with the said Mrs. Newton. And this deponent doth not believe that any intercourse or connection bath, since that time, subsisted between Catherine Newton and John Newton, or that they have seen each other.

ROBERT PARRY.

The Deposition of Ann Atwood.

October 18th, 1781.

ANN ATWOOD, wife of Jacob Atwood, of Whych-Street, in the parish of St. Clement Danes, in the county of Middlesex, aged thirty-one years and upwards, a witness produced and sworn.

To the third, fourth, and twelfth articles of the said allegation, this deponent saith, that she lived servant in the family of the Rev. Mr. Wickham, at Horshington, in the county of Somerset, for about two years, and quitted such service about Midsummer, 1780: that Catherine Newton, party in this cause, occasionally vi-

sited in the said family, and thereby became known to the deponent. And this deponent saith, that some time in the beginning of the month of February, 1780, Mrs. Newton, accompanied by Miss Gapper, came on a visit to Mr. Wickham, and stayed with the family about a fortnight or three weeks; and, in about four or five days after Mrs. Newton so came to Horsington, Captain Ackland, whom the deponent also personally knew, came there, and slept at Mr. Wickham's, and continued there as long as Mrs. Newton remained in the family; but the deponent did not observe any particular familiarities pass between them: that this deponent knows not the producent, John Newton, Esq; but always understood that Mrs. Newton was a married woman, and was separated from her husband.

ANN ATWOOD.

The Deposition of Edmund Broderife.

September 8th, 1781.

EDMUND BRODERIFE, of the city
of Wells, in the county of Somerset,
gentleman,

gentleman, aged twenty-seven years and upwards, a witness produced and sworn.

To the first, second, and third articles of the said allegation, this deponent saith, that he hath known Catherine Newton, wife of John Newton, Esq; party in this cause, for upwards of these twelve years last past, and came so to know her by her living with her father, the Right Hon. and Rev. Lord Francis Seymour in the city of Wells, where this deponent hath always resided: and this deponent personally knew John Newton Esq; the producent in this cause, and so came to know him by his visiting him, and by his living at the deanery previous to his marriage with the said Catherine Newton, which took place, as this deponent now best remembers, some time in, or about the year 1776: that immediately after the said marriage, the said John Newton took the said Catherine Newton, his wife, to Spetisbury in Dorsetshire, at which place and others, the deponent understood and believes, they cohabited together, until some differences took place between them; but this deponent did not see the said Catherine Newton, until about two years after the said marriage took place, (as near as the deponent can speak as to time)

time) when she, the said Catherine Newton, returned to Wells to her father's house; and it was generally reported and understood, that she was separated from her said husband, the said John Newton. And this deponent saith, that some time in the year 1779, but the time more particularly he cannot set forth, the articulate John Ackland, Esq; an officer in the Devonshire militia, came and was quartered with some of the regiment at Wells; that the said Catherine Newton continued at that time to reside at the deanery with her father; and a great intimacy was soon formed, as the deponent observed, between the said John Ackland and the said Lord Francis Seymour, and his family; and more particularly between the said John Ackland and Catherine Newton: that the deponent hath, in the latter end of the year 1779, and beginning of the year 1780, frequently seen them, the said John Ackland and Catherine Newton, walking alone together in the fields, arm in arm; and hath seen them go out together alone shooting, and has seen her, at such times, carrying his gun and shot-belt across her shoulder: that the deponent, some time in, or about the month of March, 1780, was at a masquerade at Wells,

Wells, and then and there saw the said Catherine Newton and John Ackland together, both dressed in Turkish habits, and they kept together during the evening, and danced together. And this deponent saith, that the behaviour of the said John Ackland and Catherine Newton, towards each other, was so apparently familiar, that the same was observed and talked of in the city of Wells; and they, the said John Ackland and Catherine Newton, appeared to the deponent to have a great regard and affection for each other; and that their familiarity and affection appeared to this deponent to be inconsistent with the situation of the said Catherine Newton, as the wife of the producent; but further to these articles he cannot depose.

To the twelfth article of the said allegation, the deponent says, that, from the time of the return of the said Catherine Newton to her father's house, as by him pre-deposed to, and during the time she resided at Wells with her said father, which was till she removed to Stowey, being about twenty miles from Wells, this deponent never saw the said John Newton

ton the producent at Wells : but further he cannot depose.

EDMUND BRODERIFE.

The Deposition of Eleanor Gould.

September 18th, 1781.

ELEANOR GOULD, of Hockey Hole, in the parish of Wells, in the county of Somerset, spinster, aged twenty-eight years and upwards, a witness produced and sworn.

To the first, second, third, and twelfth articles of the said allegation, this deponent says, that she first came to know Catherine Newton, the party in this cause, by her, the deponent, going to live servant with the Right Hon. and Rev. Lord Francis Seymour, at the deanery in the city of Wells, on the 8th day of May, 1779 : that she the said Catherine Newton then resided with her father, the said Lord Francis Seymour, and continued so to do, during the whole time this deponent lived in the family : that in a few days after this deponent went to live in the said family, they
removed

removed to a seat of the said Lord Francis Seymour, at Henstridge in Dorsetshire, about twenty-six miles from Dorset; and this deponent continued in the service of the family, and at Henstridge, about twenty weeks; and they then returned to Wells, and took this deponent with them to the deanery, where this deponent continued in such service with them about six weeks, and then left the family. And this deponent saith, that when first she so went to live in the family of the Dean, the articulate John Ackland was quartered with part of a regiment at Wells, and was very intimate at the deanery; and in about a fortnight after the family removed to Henstridge, the said John Ackland followed them there, and resided at the house of the said Lord Francis Seymour about a week, and then went away, and returned in about a month, and stayed about a week, as near as the deponent can speak as to time; and the deponent at that time first observed a great familiarity between the said John Ackland and Catherine Newton, and was first induced to observe the same by her the said Catherine Newton suffering the said John Ackland to talk and laugh with her at her chamber-window, while she was dressing; and she

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the

the said Catherine Newton having nothing on but her petticoats and a loose bedgown : that they the said John Ackland and Catherine Newton, were afterwards frequently seen walking out alone together, arm in arm, and sometimes with his arm round her waist. And this deponent saith, that the said John Ackland, having stayed above a week, as aforesaid, again quitted Henstridge, and returned in about three weeks or a month : that at the time now spoken to by the deponent, she says the said John Ackland came post, and arrived at Lord Francis Seymour's house, between eleven and twelve o'clock at night : that Lord Francis Seymour was from home, and the family, except a servant or two, were all gone to bed ; and on its being known that the said Captain Ackland was arrived, she the said Catherine Newton, and her sister Miss Frances Seymour, got up ; and the said Catherine Newton, with a lady who was on a visit in the family, and who then occupied the bed in which Captain Ackland had before slept ; and the said Miss Seymour went and slept with her mother, in order that the said Captain Ackland might sleep in their bed : and early the next morning, before six o'clock, this deponent saw the
said

saïd Captain Ackland and Mrs. Newton, alone together in the parlour: that the saïd Captain Ackland, also continued at this time about a week, as near as the deponent can now recollect. And one evening this deponent having been out, and returning home across the road, and observing a light in Mrs. Newton's bed-chamber, the deponent looked up, and saw the saïd Captain Ackland and Mrs. Newton in the saïd bed-room, and alone together: and the deponent could, and did then plainly see the saïd Catherine Newton put her hands round the saïd John Ackland's neck, and they kissed one another. And this deponent saith, that, in a day or two afterwards, and whilst the saïd Captain Ackland was on the visit, as before spoken of, this deponent went up stairs, to carry a bottle of water into the saïd Catherine Newton's bed-chamber: that on this deponent opening the saïd bed-chamber door, she then saw the saïd Catherine Newton and Captain Ackland, lying down upon the saïd Catherine Newton's bed together, side by side, with his arm under her neck, and his leg over her: that the saïd Catherine Newton was then in a riding-habit; but the deponent did not observe, that her

petticoats were up : that the deponent did not go into the room farther than the door, but immediately shut the door too and retired. And this deponent saith, that in general, during the respective times that the said Capt. Ackland was visiting at the house of the said Lord Francis Seymour, there appeared to this deponent to be the greatest regard and familiarity between the said Capt. Ackland and the said Catherine Newton, and the deponent hath several times seen them kiss and toy with each other : that it was part of this deponent's business to help to make the beds ; and she hath been several times obliged to make the said Catherine Newton's bed over again, the same having been much tumbled in the day-time. And this deponent says, that, in about a fortnight after the said Catherine Newton and family returned from Henstridge to the deanery at Wells, he the said Captain Ackland came there, and continued and was left there by this deponent, when she quitted her service therein : that, during the last month this deponent was so in the service of the said family, and at Wells aforesaid, this deponent has several times seen the said Catherine Newton go into the said Captain Ackland's

Ackland's bed-chamber in a morning before her own maid was up, and before the said Capt. Ackland was come out of his room, and used to shut the door after her. And this deponent was the more induced to observe the same, by reason that it was usual for the said Catherine Newton, when the said Captain Ackland was at the house, to get up and dress herself; but when the said Captain Ackland was not there, it was her method to have Mrs. Wilson, her maid, to dress her. And this deponent says, that the bed-chamber of the said Catherine Newton was in a different wing of the house from that of the said Capt. Ackland's. And this deponent observed, that, when the said Catherine Newton went to the said Captain Ackland's room, she used to go the back-way; but how long she used to stay in the said Captain Ackland's room, the deponent cannot say. And this deponent saith, that, from what she hath before deposed, and by the circumstances by her pre-deposed to, and from the general familiar manner with which the said Catherine Newton and Capt. Ackland behaved towards each other, this deponent was induced to believe, and does verily believe, that there was a criminal connection

tion between them: that this deponent understood, that the said Catherine Newton had a husband, from whom she was separated; but this deponent never, to her knowledge or belief, saw the producent, and is convinced, that he was never at Lord Seymour's while the deponent lived in the family; but further she cannot depose.

X

The mark of ELEANOR GOULD.

The Deposition of John Nurse.

September 21st, 1781.

JOHN NURSE, of the city of Bath, aged twenty-six years and upwards, a witness produced and sworn.

To the tenth article of the said allegation, this deponent says, during the year 1780, this deponent lived as post-boy at the New-inn, Cannon's Grove, kept by William Beale, and about five miles distant from the city of Wells. And this deponent says, that the said William Beale having been at St. Andrew's Fair, at the said city of Wells, and which fair
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is kept on the thirtieth of November, on his return home to Cannon's Grove the next day or the day after, being either the first or second of December last, he the said William Beale, directed this deponent to go with a chaise to Wells, the next morning, and to be there by five o'clock: and told the deponent that a person would meet him there, and tell him where he was to drive from thence: that this deponent did accordingly arrive with a chaise at Wells, the next morning, at five o'clock, and a man met him on entering the town; and, after enquiring from whence he came, directed the chaise to wait near the deanery house till he came; that it was very dark; and the said man, who was unknown to the deponent, shortly afterwards brought some things, and put them into the chaise, and then went away again and returned in a few minutes with two ladies and a light: that the ladies having got into the chaise, this deponent was ordered to go towards the Bristol road; and the said ladies afterwards ordered this deponent to take them to the Pelican-inn, Bristol, where they arrived about nine, or ten o'clock that morning, as near as the deponent can speak as to time: that
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this deponent suspected there was a wedding intended; and, on the ladies arriving at the Pelican-inn, he offered to take them on, if they were going any further; but they told the deponent, they had business to do at Bristol, and discharged him. And this deponent says, that, in about ten minutes after, a chaise being ordered from the said Pelican-inn, this deponent understood it was for his company; and, being rather surprised thereat, he enquired of the post-boy, whom the deponent personally knew, and whose christian name was John, but his surname the deponent knows not, where he was ordered to: and he, the said post-boy, then told the deponent, he was ordered to go to Cross, which is a village on the road from Bristol to Bridgewater, but which is several miles nearer to Wells than Bristol, And this deponent says, that he saw the said two ladies get into the said chaise about an hour after the deponent first brought them to Bristol: but further he cannot depose.

JOHN NURSE.

The Deposition of Joseph Pope.

September 21st, 1781.

JOSEPH POPE, of the city of Bristol, inn-holder, aged thirty-three years and upwards, a witness produced and sworn.

To the tenth article of the said allegation, this deponent says, that he keeps the Pelican-inn at the city of Bristol, and kept the same during the months of November and December, 1780. And this deponent says, by a reference to his books, it appears that a chaise went from his house as aforesaid, to the village of Crofs, being sixteen miles and a half on the western road leading to Bridgewater, on the first of December, 1780. And this deponent says, that the parties who had the said post-chaise were two ladies, and the driver who brought them to the deponent's house belonged to Cannon's Grove; that the entry made by this deponent in his books, is in the words following: " 1780, December 1st. The
" Hon. Mifs. ——— chaise to Crofs,
" 13s. 6d. duty, 3s." And it also appears by his said books, that he received
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the said sum of sixteen shillings and sixpence on that day; but this deponent says, that he has not any knowledge of the said parties, nor can he now recollect what it was induced him to enter the same as being let to a person intitled to be called honourable: that this deponent knows not the producent nor Catherine Newton, his wife: but further he cannot depose.

JOSEPH POPE.

The Deposition of William Matthew.

September 21st, 1781.

WILLIAM MATTHEW, of the city of Bristol, postillion, aged twenty-two years and upwards, a witness produced and sworn.

To the eighth and tenth articles of the said allegation, this deponent says, that, some time about the latter end of the month of October, 1780, the time more particularly he cannot set forth, two ladies, who were then perfect strangers to the deponent, came to the Fox and Goose-

Goose-inn, at South Brent, where the deponent then lived post-boy: that the said ladies came in a Bridgewater chaise; and this deponent then understood that one of the ladies was named Newton, and came from Stowey. And this deponent says, that the said two ladies were forwarded that evening by a chaise driven by this deponent to the White Hart-inn, at Cross, being six miles: that this deponent was there informed, that a gentleman was in waiting for the said ladies; but the deponent did not see him. And this deponent says, that in about a month or five weeks after, the time more particularly he cannot set forth, this deponent well remembers that the said two ladies came in a post-chaise, belonging to the New-inn at Cross, to the said Fox and Goose-inn at South Brent, some time in the evening, and were then forwarded, in a post-chaise driven by this deponent, from thence quite to Stowey, which is about one and twenty miles. And this deponent says, that an express was sent on from Stowey to Cross before, as this deponent knows, by reason that the man returned as far as South Brent with the deponent: that the house the deponent carried the ladies to, as aforesaid, was de-

scribed to this deponent as being the house of a Mrs. Newton. And this deponent says, that the direct road from Wells to Stowey is twenty-nine miles and a half: that from Wells to Cross is, as this deponent believes, twelve miles, and from Cross to Stowey, through South Brent, is twenty-seven miles: but further he cannot depose.

WILLIAM MATTHEW.

The Deposition of Ann Fish.

September 21st, 1781.

ANN FISH, of the city of Wells, in the county of Somerset, spinster, aged eighteen years and upwards, a witness produced and sworn.

To the sixth article of the said allegation, this deponent says, that she has known Catherine Newton, party in this cause, for several years last past, and came to know her by her being at the deanery at Wells with her father: that this deponent was employed and worked for the said Catherine Newton as her mantua-maker.

And

And this deponent says, that some time afterwards, the latter end of June or beginning of July, 1780, this deponent, by the directions of the said Catherine Newton, let out a gown for her three or four inches in the body, and such gown was afterwards left by the said Catherine Newton, as a pattern for others to be made by: but this deponent says, that on the said Catherine Newton's return to Wells, in the month of December following, the said Catherine Newton having occasion for another gown to be made, this deponent took fresh measure of her for the same: but this deponent says, that she did not then make any particular observation with respect to any difference in her size: but further she cannot depose.

ANN FISH.

The Deposition of Ann Begg.

ANN BEGG, of the city of Wells, spinster, aged twenty-three years and upwards, a witness produced and sworn.

To the first, second, third, and twelfth articles of the said allegation, this deponent

deponent says that she first came to know the Hon. Catherine Newton, party in this cause, sometime in the month of November, 1779, at which time she the deponent went to live as a servant with the father of the said Catherine Newton, the Right Hon. and Rev. Lord Francis Seymour, at the deanery house in Wells, with whom the said Catherine Newton then resided: that this deponent continued in the service of the said Lord Francis Seymour, till the month of May, 1780: that when this deponent first went to live in the said family, the articulate John Ackland was therein, and was considered and treated as one of the family: that when the deponent had been in the said family a short time, she observed a great familiarity and regard between the said Catherine Newton and Captain John Ackland; and this deponent has frequently seen them walking about, arm in arm, together; and they used to go out riding together. And this deponent says, that on a day, happening whilst she was in the service of the said family, but the particular time she cannot set forth, this deponent being employed in clearing the drawing-room, the said Catherine Newton passed through the said drawing-room into the said Captain Ackland's

Ackland's bed-chamber : that there was a way through Captain Ackland's bed-chamber to go down stairs ; and this deponent having finished clearing the drawing-room, intended going that way to the kitchen, but first looked through the key-hole of the door, to see if any one was in the said chamber. And this deponent says, that she then saw the said Catherine Newton and Captain Ackland, standing face to face in the said bed-chamber alone together ; and the deponent thereupon immediately turned back, and went the other way. And this deponent says, that during the whole time, from the month of November, 1779, until within a fortnight of the time this deponent quitted the deanery, being until the latter end of the month of April, or beginning of the month of May, 1780, she the said Catherine Newton and Captain Ackland, constantly to the best of this deponent's recollection, resided with the said Lord Francis Seymour at the deanery, except that some time after Christmas, the said Catherine Newton went on a visit at Esburg, as the deponent understood, for about a week, and returned home, and brought a young lady with her from thence, whose name was Gapper. And
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this deponent says, that about a fortnight before the deponent left the deanery, she the said Catherine Newton left her father's house, accompanied by Captain Ackland, and went as this deponent then understood and believes, to a house she had taken at Stowey. And this deponent says, that she always understood, that the said Catherine Newton was a married woman; but the deponent knows not, to her knowledge, that she ever saw the producent. And further cannot depose.

ANN BEGG.

The Deposition of Thomas Maynard.

September 18th, 1781.

ROBERT MAYNARD, of the city of Wells, in the county of Somerset, hair-dresser, aged thirty-seven years and upwards, a witness produced and sworn.

To the first, second, and third articles of the said allegation, this deponent says, that he has known Catherine Newton, party in this cause, from a child, and came so to know her, by her residence at Wells, with

with her father, the Right Hon. and Rev. Lord Francis Seymour, the Dean of Wells, who employed this deponent as his barber. And this deponent says, that the articulate Captain John Ackland, being quartered at Wells, sometime in the beginning of the year 1779, he the said Captain Ackland became very intimate at the deanery; insomuch, that he principally resided there. And sometime between the months of March and April, 1779, his, the said Captain Ackland's, servant being absent, this deponent was employed by him at the deanery, and dressed his hair there; and this deponent thereby came to know which was his room. And this deponent says, that being one day in the said house, about one or two o'clock, and going up stairs with the Dean's wig, and thereby having occasion to pass by the bed-chamber of the said Captain Ackland; and the door thereof being open, this deponent then and there saw the said Catherine Newton and Captain Ackland standing in the said bed-chamber together: and on their seeing this deponent, she the said Catherine Newton hastily shut too the door. And this deponent says, that whilst the said Captain Ackland was at Wells, he the deponent

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has

has very frequently seen him walking about with the said Catherine Newton, arm in arm, together; and such their familiarity was the general talk of the neighbourhood. And this deponent says, that he personally knows John Newton, Esq; the producent in this cause, having been employed by him previous to his marriage, when he was paying his addresses to the said Catherine Newton at Wells: but this deponent says, that since the marriage of the producent with the said Catherine Newton, this deponent has never seen him; and verily, and in his conscience believes, that he the said producent has never since been at Wells. And further he cannot depose.

ROBERT MAYNARD.

The Deposition of Elizabeth Bindlose.

October 11th, 1781.

ELIZABETH BINDLOSE, of King's Bromley in the county of Stafford, spinster, aged thirty years and upwards, a witness produced and sworn,

To

To the twelfth article of the said allegation, this deponent says, that she has lived servant with John Newton, Esq; the producent in this cause, for these eight years last past, and thereby first became acquainted with him, and also with Catherine Newton his wife, the other party in this cause, with whom he intermarried about five years and some months since, as near as the deponent can speak as to time. And this deponent says, that a separation took place between the said John Newton and Catherine Newton his wife, some time in or about the month of October 1777, on account of the improper behaviour of the said Catherine Newton: that the said John Newton then took the said Catherine Newton over to France, as this deponent understood and believes; and having left her at Paris, he the said John Newton returned to his house at King's Bromley, some time in the month of December following. And this deponent says, that from that time, he the said John Newton has constantly lived and resided at King's Bromley, in the county of Stafford aforesaid, separate and apart from the said Catherine Newton his wife, whom the deponent has never since seen; and he the said John Newton has never been

absent from his said house, at King's Bromley, for twenty-four hours together, from such his return from France to the present time, except for three nights, in June, 1779, when he went to Liverpool: that he the said John Newton is, as this deponent has heard and believes, of the age of sixty-four years and upwards; and for these two years last past, has been in a very weak and relaxed state of body; and some time in, or about the month of December, 1779, was so very ill, as to be incapable of going up and down stairs without assistance; and was then attended by Dr. Ash, and Mr. Edward Lightwood articulate. And this deponent says, that from her constant residence with the said John Newton, and her attendance on him, she is enabled, and doth take upon herself, positively to swear, that from the month of December, 1779, inclusive, to the month of April, 1780, inclusive, he the said John Newton was never once out of his house and garden at King's Bromley aforesaid; during which time, she the said Catherine Newton was never at King's Bromley, to this deponent's knowledge or belief, or had any intercourse, access, or connection whatever with her said husband, from the time of his return
from

from France as aforesaid : that this deponent has heard and believes, that King's Bromley is upwards of a hundred miles from Somersetshire : but further she cannot depose.

ELIZABETH BINDLOSE.

The Deposition of John Ash.

October 13th, 1781.

JOHN ASH, of Birmingham, in the county of Warwick, doctor of physick, aged fifty-seven years and upwards, a witness produced and sworn.

To the twelfth article of the said allegation, this deponent says, that he has known and been acquainted with John Newton, Esq; the producent in this cause, and has attended him as his physician for several years past. And this deponent says, that he attended the said John Newton, and prescribed for him in the month of December, 1779, and in February, 1780; and he was then universally enervated and in a debilitated state of body; and to the best of this deponent's knowledge

ledge and belief, he the said John Newton was incapable of then being the father of a child; and from the nature of his complaints, the deponent had reason to apprehend, that the said John Newton was in danger of an universal paralysis at these times: that he the said John Newton then resided at King's Bromley, in the county of Stafford, separated, as the deponent believes, from Catherine Newton his wife, the other party in this cause: but further he cannot depose.

JOHN ASH.

The Deposition of William Smith.

September 22d, 1781.

WILLIAM SMITH, of Bridgewater, in the county of Somerset, ostler, aged twenty years and upwards, a witness produced and sworn.

To the fifth, seventh, and eighth articles of the said allegation, this deponent saith, that he first came to know and be acquainted with Catherine Newton, some time in the summer of the year 1780, at
which

which time she came to reside at Stowey, this deponent being then a post-boy at the King's Head at Bridgewater, being about eight or nine miles distant from Stowey. And this deponent saith, that, on the thirtieth of October, 1780, a chaise went from the King's Head at Bridgewater, where the deponent then lived, and took the said Catherine Newton and a young lady with her, from Stowey to the Fox and Goose-inn, in the road from Bridgewater to Bristol; about ten miles from Bridgewater, and about eighteen miles from Stowey. And this deponent saith, that the said ladies were forwarded from the Fox and Goose-inn, in another chaise; and went, as he has heard and believes, to the White Hart-inn at Cross, which is six miles distant from the Fox and Goose aforesaid: that the deponent had, at the time by him deposed to, lived at the King's-Head aforesaid, for some years; but never before knew the said Catherine Newton to have a chaise from that inn.

To the tenth and eleventh articles of the said allegation, this deponent saith, that, on the last day of November, 1780, or the first or second of December, (the day more particularly he cannot set forth)
a boy

a boy came from Cross and stopped at the King's Head at Bridgewater, in his way to Stowey, in the evening, and directed a chaise to be kept in readiness there, to take Mrs. Newton on to Stowey: that a chaise was accordingly prepared, and this deponent sat up to drive the same until some time in the middle of the night, when an empty chaise came from Stowey, and stopped at the King's head aforesaid; and the deponent then understood, from the post-boy thereof, that he had carried the said ladies quite to Stowey, from the Fox and Goose aforesaid. And this deponent saith, that, on the seventh of December following, this deponent carried the said Mrs. Newton and the other lady, (who the deponent understood was named Gapper) from Stowey to Piper's-inn, which is the direct road to Wells. And this deponent saith, that, from Stowey to Wells, the direct road, is twenty-nine miles; and that from Stowey to Wells, (to go by the Fox and Goose, and the village of Cross) is full thirty-six miles.

WILLIAM SMITH.

The Deposition of Sarah Lockier.

September 22d, 1781.

SARAH LOCKIER, of the city of Wells, in the county of Somerset, aged twenty-six years and upwards, a witness produced and sworn.

To the second, third, and fifth articles of the said allegation, this deponent saith, that she first came to know Catherine Newton some time in the month of May, 1779, when this deponent first went to live with the family of Lord Francis Seymour, Dean of Wells, in whose service she now is, and with whom she then resided: that this deponent understood that the said Catherine Newton was a married woman, and was separated from her husband: that, some time in the year 1779, Captain John Ackland, an officer in the militia, quartered at Wells, became very intimate in the family of the said Lord Francis Seymour, and slept at the deanery; and a particular attachment, from that time, appeared between Capt. Ackland and Mrs. Newton. And this deponent heard in the family, and believes, that Lord Francis Seymour was uneasy

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thereat:

thereat: that the said Captain Ackland and Mrs. Newton often walked out alone together: sometimes arm in arm together, in a familiar manner, towards the latter end of the said year 1779, or beginning of the year 1780; in the course of which winter, they went to two masquerades in Wells together. And this deponent saith, that, in the course of the first summer that this deponent lived with the Dean's family, (to wit, in the summer of the year 1779) the said family being at their country house at Henstridge, about three and twenty miles from Wells, the said Captain Ackland came there, as the deponent remembers, two or three times, on visits at the said house. And the deponent saith, that she did several times see the said Captain Ackland, in the course of that summer, sitting alone with Mrs. Newton, in her bed-chamber, at Henstridge; but this deponent saith, that she never, to the best of her recollection, saw any indecent familiarities pass between them. And this deponent saith, that, some time in or about the month of May, 1780, Mrs. Newton quitted her father's house at Wells, and went to reside at Stowey; but this deponent cannot recollect who accompanied her thither.

To

To the eleventh and twelfth articles of the said allegation, this deponent saith, that some time in or about the month of December, 1780, Mrs. Newton came to her father's house at Wells, on a visit, and stayed there about a month or five weeks; but the deponent did not observe any alteration in her size. And this deponent saith, that, from the time this deponent first went to live in the family of Lord Francis Seymour, the said Mrs. Newton constantly resided with her father, either at the deanery at Wells, or at Henstridge, in the same county, until she removed to Stowey: that the said Mrs. Newton went on a visit to Henstridge, for about a fortnight, whilst her father was at Wells, some time in the winter before she so went to Stowey; and also on another visit, in the same winter, to Horfington, being about twenty-one miles, to a Mr. Wickham; at whose house the deponent also thinks she stayed about a fortnight: that this deponent never, to her knowledge, saw John Newton, Esq; the pro-
ducent in this cause, but has heard he lives in Staffordshire.

SARAH LOCKIER.

The Deposition of Elisabeth Plush.

ELISABETH PLUSH, of the city of Wells, in the county of Somerset, widow, aged fifty-three years and upwards, a witness produced and sworn.

To the eight and ninth articles of the said allegation, this deponent saith, that she goes out into families washing, and hath so done for some years, in the city of Wells; and some time in or about the beginning of the month of November, 1780, this deponent was employed as a washer-woman, in the house of the articulate John Rocke, a surgeon and man-midwife at Wells: that this deponent understood, in the said family of the said John Rocke, that there were two ladies just then come into the house, one of whom Mrs. Rocke called Mrs. Smith; that the said ladies occupied the lodgings which had been in the possession of a Dr. Stevenson; and it shortly afterwards became the talk of the said city of Wells, that one of the said ladies was Mrs. Newton, the Dean of Wells's daughter, who was come there to lye-in: that, in about a fortnight or three weeks afterwards, as near as the deponent can recollect as to the

the time the said Mrs. Rocke employed this deponent to wash a dozen new clouts, from which this deponent was induced to believe, that one of the said ladies was come to lye-in: that this deponent had no opportunity of seeing either of the said ladies; and knows not further to depose.

The mark of ELISABETH  PLUSH.

The Deposition of the Rev. John Golden.

The Rev. JOHN GOLDEN, clerk of the city of Wells, aged fifty-six years and upwards, a witness produced and sworn.

To the second and third articles of the said allegation, this deponent saith, that he hath known Catherine Newton, party in this cause, for several years; and so came to know her, by her residing at Wells with her father, the Dean of Wells, in whose family this deponent visited. And this deponent saith, that, some time in the year 1779, as near as the deponent can recollect as to the time, the said Catherine Newton being then at her said father's, and, being separated from her husband,

husband, John Newton, Esq; the pro-
ducent in this cause, he the deponent first
observed a particular acquaintance form-
ed by the said Catherine Newton with a
Captain Ackland, who was then quarter-
ed in Wells: that the said Captain Ack-
land appeared to be very intimate in the
Dean's family, and spent much of his
time there. And, as the deponent thinks,
slept at the deanery about the year 1779,
or 1780; but more particularly the depo-
nent cannot speak: that this deponent
hath seen the said Catherine Newton and
Captain Ackland walking arm and arm
together about that time; and hath also
seen them riding out together. And
when this deponent hath been at the
deanery, he hath observed an apparent
fondness between the said Catherine
Newton and the said Captain Ackland:
and such fondness became so visible, that
it was a conversation in Wells; and, as
the deponent believes, was a cause of un-
easiness to the Dean; but further he can-
not depose.

JOHN GOLDEN.

The Deposition of William Beale.

WILLIAM BEALE, of Cannon's Grove, in the county of Somerset, innholder, aged forty years and upwards, a witness produced and sworn.

To the tenth article of the said allegation, this deponent saith, that, being at Wells fair on St. Andrew's day, the thirtieth of November, 1780, this deponent, in the said city of Wells, met with Mr. John Rocke, a surgeon and man-midwife of the said city of Wells, who is well known to this deponent; and he, the said John Rocke, then bespoke a post-chaise of this deponent, and directed the same to be at Wells between four and five o'clock the next morning: that the said John Rocke did not inform the deponent where the said chaise was to go; and the deponent considered it as rather singular, that he should order a post-chaise to go to Wells, from Cannon's Grove, to take company: that this deponent gave orders, when he went home, for a chaise to be at Wells accordingly; and, when it returned home, the driver told the deponent, he had carried two women therein to Bristol, and brought
home

home the money for the same accordingly: but further he cannot depose.

WILLIAM BEALE.

The Deposition of Elisabeth Sayer.

ELISABETH SAYER, wife of James Sayer, of West Horsington, in the county of Somerset, aged twenty-three years and upwards, a witness produced and sworn.

To the ninth article of the said allegation, the deponent saith, that she the deponent was brought-to-bed some time about thirteen months since; and that after this deponent was up, and some time before Christmas last, but the time more particularly she cannot recollect, early one morning, this deponent having been before applied to by Mr. Rocke, a surgeon and man-midwife at Wells, she the deponent received from the hands of her husband, a male child to nurse; which child, he the said James Sayer, her husband, then told her, had been delivered to him by the said Mr. Rocke that morning: that such child was a full grown child; and this deponent put out her own child to
make

make way for the same; and such child has ever since been at nurse with this deponent, and continues so to be: that West-Horsington is about two miles and a half from Wells: that this deponent is paid for nursing the said child monthly by the said Mr. Rocke. But further she cannot depose; and knows not whose child it is that she so has at nurse as aforesaid.

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The mark of ELIZABETH SAYER.

The Deposition of the Rev. John Wickham.

The Rev. JOHN WICKHAM, clerk of Horsington, in the county of Somerset, aged fifty years and upwards, a witness produced and sworn.

To the third and fourth articles of the said allegation, this deponent saith, that he hath known and been well acquainted with Lord Francis Seymour, Dean of Wells, and Catherine Newton, party in this cause, his daughter, and the rest of his family for several years, by visiting as neighbours at Henstridge, where the Dean had a house: that this deponent hath, in

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the course of the year 1779, or beginning of the year 1780, met the articulate Captain Ackland at the Dean's house; and there then appeared to the deponent, to be an attachment between the said Catherine Newton and the said Captain Ackland: but the deponent did not see or suspect any thing indecent passing between them. And this deponent saith, that being on a visit sometime in the beginning of the year 1780, the said Catherine Newton proposed coming to stay a few days at this deponent's house; and Captain Ackland, who was then present, to the best of the deponent's recollection, said, that probably he might come also: and accordingly, some time in the beginning of February, 1780, she the said Catherine Newton, accompanied by the articulate Miss Gapper, came to the deponent's house at Horsington, which is about twenty miles from Wells, and stayed there something more than a fortnight, as near as the deponent can speak: that in two or three days after the said Catherine Newton and Miss Gapper came to the deponent's house, the articulate Captain Ackland also arrived there, and stayed and went away with them: that while the parties were at this deponent's said house, they
went

went one day to dinner at Mr. Gapper's at Estridge-Ash, and also went to an assembly at Wincanton, accompanied by this deponent and his wife: that Estridge-Ash and Wincanton are both in the neighbourhood of Horfington; and the said Catherine Newton was never a whole day absent from the deponent's house during the time she was on her said visit there: that this deponent did not observe any thing that could then induce the deponent to suspect the said Catherine Newton being pregnant; and does not recollect ever to have seen her since. And further he cannot depose, save that she the said Catherine Newton and Captain Ackland rode out together, as the deponent remembers, on the first day, or on a Sunday in the said month of February, while on such visit, and during church-time, at which the deponent was rather displeased; but never saw any thing indecent pass between the said Catherine Newton and Captain Ackland, whilst on their said visit as aforesaid.

JOHN WICKHAM.

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The Deposition of the Hon. Frances Seymour.

The Hon. FRANCES SEYMOUR, of Wells, in the county of Somerset, aged twenty years and upwards, a witness produced and sworn.

To the second and twelfth articles of the said allegation, this deponent saith, that she is the sister of Catherine Newton, party in this cause. And this deponent saith, that the said Catherine Newton, after the separation took place between her and John Newton, Esq; her husband, the producent in this cause, to wit, some time in the year 1777, came to reside with her father, the Right Hon. and Rev. Lord Francis Seymour, Dean of Wells, at the city of Wells, and where and with whom this deponent did then, and doth now reside. And this deponent saith, that after the return of her said sister to her father's house as aforesaid, and some time, as the deponent best remembers, in the month of February, 1779, the articulate John Ackland, officer in the Devonshire militia, being quartered at Wells, visited at this deponent's father's house; and in a very short time, became very intimate in the family, and spent much

much of his time in the family : and after the regiment had quitted the town, as the deponent best remembers, towards the latter end of the year 1779, the said Capt. Ackland was on a visit with the family, and then slept at the house, and was intimate with the family in general ; but the deponent knows not, nor ever observed any particular attachment between the said Captain Ackland and Catherine Newton. And this deponent saith, that from the time the said Catherine Newton came to her father's house, in the winter of the year 1777, until the month of May, 1780, when she went to reside at Stowey, the said Catherine Newton constantly visited with her father and the family, either at the deanery at Wells, or at their house at Henstridge, about twenty-four miles from Wells, except only when she was on visits in the neighbourhood : that some time in the beginning of February, 1780, the said Catherine Newton was absent from her father's house for about a fortnight, and was then, as the deponent understood and believed, on a visit at the Rev. Mr. Wickham's at Horfington, about twenty miles from Wells, and was also at Henstridge for a few days in March, 1780, whilst the family were at Wells ; but save
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and except those two visits, she the said Catherine Newton constantly resided at the houses of the said Lord Francis Seymour aforesaid, and with the deponent, during the whole month of December, 1779, and the following months of January, February, and March, 1780, apart from her husband John Newton, Esq; the producent in this cause, who, the deponent understood and believes, was then resident at King's Bromley, in Staffordshire, and who had not, to the deponent's knowledge or belief, any access to the said Catherine Newton his wife, during that time. And further she cannot depose.

FRANCES SEYMOUR.

The Deposition of Elizabeth Doughty.

September 25th, 1781.

ELIZABETH DOUGHTY, of the city of Wells, in the county of Somerset, spinster, aged forty-six years and upwards, a witness produced and sworn.

To the second and twelfth articles of the said allegation, the deponent saith,
that

that she hath known Catherine Newton, wife of John Newton, Esq; from her infancy, and came to know her by living as a servant in the family of Lord Francis Seymour, her father, for these twenty years last past. And this deponent saith, that, about four years ago, as near as she can recollect as to the time, Mrs. Newton came to her said father's house at Wells; a separation having taken place, as the deponent understood, between her and her husband. And this deponent saith, that Captain John Ackland, having been quartered at Wells, and thereby having become acquainted with the Dean's family, some time in or about the year 1779, became intimate in the family, and spent much of his time, and slept there; but this deponent saith, that she never observed any particular attachment between Mrs. Newton and Capt. Ackland. And this deponent saith, that from the time Mrs. Newton came to the house of her father, at Wells, until she went to reside at Stowey, some time in or about the month of May, 1780, the said Mrs. Newton constantly resided at her said father's house at Wells, or Henstridge, about twenty-four miles from Wells, except when she went to pay visits

sits in the neighbourhood : that this deponent remembers Mrs. Newton went to pay a visit, for about a fortnight, to Mr. Wickham, of Horfington, some time in January or February, 1780 ; and also went to Henstridge for a few days, some short time after her return from Mr. Wickham's, and whilst the Dean's family were at Wells ; but, except these two visits, this deponent saith that Mrs. Newton, to the best of this deponent's recollection and belief, constantly resided with her father, apart from her husband during the whole month of December, 1779, and January, February, and March, 1780 : that the deponent well knows the said John Newton, by his formerly visiting in the Dean's family ; but this deponent hath never seen him since the return of Mrs. Newton to her father's house ; and doth verily believe, that the said John Newton and Catherine Newton have never had any access, intercourse, or connection with each other since.

ELIZABETH DOUGHTY.

The Deposition of Grace Perfrey.

GRACE PERFREY, of Crofs, in the county of Somerfet, widow, aged thirty years and upwards, a witnefs produced and fworn.

To the eighth article of the faid allegation, this deponent faith, that ſhe keeps the White Hart-inn at Crofs, which is about twelve miles from Wells; and hath kept the ſame for ſome years. And the deponent faith, that on Cherry-fair Day, which was kept on the 29th or 30th of October, 1780, John Rocke, a ſurgeon at Wells, who is perſonally known to the deponent, came to her houſe, ſome time in the evening, and ordered a fire in the parlour, ſaying that two ladies were coming in a chaiſe; and accordingly, ſome time after candle-light, two ladies, who were ſtrangers to this deponent, came in a chaiſe, from the Fox and Goofe, an inn about ſix miles from Crofs, on the Bridgewater road: that, after the ſaid ladies had been in the parlour ſome time, with the ſaid Mr. Rocke, the deponent was called in, and aſked by Mr. Rocke, if ſhe could let them have a chaiſe, with a careful driver, to carry the ſaid ladies

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to Wells; and, the deponent saying she could, he desired to see the driver; and the deponent thereupon sent William Thomas, one of her drivers, into the room, who, on coming out, told the deponent, that one of the said ladies was Mrs. Newton; and that he could not think what could make her come that road to go to Wells; or he expressed himself to that effect. And this deponent saith, that, a chaise being prepared, and this deponent being paid for the hire thereof, as far as Wells, the two ladies left this deponent's house therein, accompanied by the said Mr. Rocke, on horseback, between nine and ten o'clock that night, as near as the deponent can recollect. And this deponent saith, that on the return of the said chaise, this deponent understood, from the said William Thomas, the driver thereof, that he had carried the said ladies to Wells, and set them down at the beginning of the town; but knows not where they went.

The mark of GRACE ✕ PERFREY.

The Deposition of James Sayer.

September 26th, 1781.

JAMES SAYER, of West-Herrington, in the county of Somerset, hatter, aged twenty-three years and upwards, a witness produced and sworn.

To the ninth article of the said allegation, this deponent saith, that, early in the morning of the 22d of November, 1780, John Rocke, who is well known to the deponent, and who is a surgeon and man-midwife at Wells, came over on horseback to the deponent's house at West-Herrington, being about two miles distant from Wells, and desired the deponent to go back with him to Wells, to take a child for his wife Elizabeth Sayer, to nurse; he the said John Rocke having before agreed with this deponent's said wife to nurse a child: that accordingly this deponent then went to Wells with the said Mr. Rocke, to his house; and there, from the hands of the said Mr. Rocke's wife, received a male child; which appeared to the deponent to be a full-grown child; and which the deponent then carried in his arms to his said

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wife,

wife, at West-Herrington, to nurse ; and with whom the said child hath ever since continued ; that the said Elizabeth Sayer, this deponent's wife, had then a young child of her own, which was put out, to make way for the child delivered to the deponent by Mrs. Rocke as aforesaid : that this deponent made a memorandum a few days afterwards, as to the time he so received the said child ; and it therefore enables him to speak to the time he so received the same : that the said Mr. Rocke pays for the nursing of the said child ; but the deponent knows not whose child it is, save from the general report at Wells, and about West-Herrington, that the said child is Mrs. Newton's ; but the deponent knows not either of the parties in this cause.

JAMES SAYER,

The Deposition of Josiah Savage.

Septcember 26th, 1781,

JOSIAH SAVAGE, of Redstock, in
the county of Somersfet, gentleman, aged
thirty-

thirty-five years and upwards, a witness produced and sworn.

To the third and eleventh articles of the said allegation, this deponent saith, that he hath personally known Catherine Newton for three years last past, and came to know her, by her using the Bell-inn at Redstock, which is eleven miles and a half from Wells; and which inn is kept by the deponent's mother, with whom the deponent lives. And this deponent saith, that, one morning in the spring of the year 1780, Mrs. Newton came on horseback to the said inn, accompanied by an officer, who the deponent understood and believes to be Capt. Ackland; and attended by a man-servant. And the said Mrs. Newton and Captain Ackland walked arm in arm in a familiar manner, and went to see some new coal-works together at Redstock, and stayed at Redstock together about two hours, and then rode away towards Wells. And this deponent saith, that, on a day happening in the month of January last past, this deponent being at a house called Piper's-inn, in the road from Bridgewater to Wells, did then and there again see Mrs. Newton, who came there in a phaeton. And this deponent saith, that he then took particular

particular notice of her, and she appeared to be very much altered, and as if she had been ill shortly before.

JOSIAH SAVAGE.

The Deposition of John Worlock.

September 26th, 1781.

JOHN WORLOCK, of the city of Bristol, postillion, aged eighteen years and upwards, a witness produced and sworn.

To the tenth article of the said allegation, this deponent saith, that he well remembers, on a morning between eight and nine o'clock, some time in the latter end of November, or beginning of December, 1780, this deponent took up two ladies in a post-chaise, from the Pelican-inn at Bristol, and drove them to the New-inn at Cross, being eighteen miles : that the said ladies were both strangers to the deponent ; but they were brought to the Pelican-inn, in a post-chaise, driven by one John Nurse, whom the deponent knows, and who then told the deponent he brought them from Wells, which is
twenty-

twenty-one miles from Bristol: that the said ladies were afterwards forwarded in another chaise, from the New-inn at Cross, as the deponent then understood, to the Fox and Goose, being about six miles from Cross: that they were then drove by one William Holland, who is also known to the deponent; that the deponent never before saw the said ladies, or either of them, to his knowledge.

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The mark of JOHN WORLOCK.

The Deposition of William Stallard.

WILLIAM STALLARD, of Cross, in the county of Somerset, postillion, aged twenty-one years and upwards, a witness produced and sworn.

To the tenth article of the said allegation, this deponent saith, that he hath personally known Catherine Newton for these three years last past; and came to know her by her coming occasionally to the New-inn at Cross, where this deponent lives postillion. And this deponent saith, that on the first day of December last, this deponent drove Mrs. Newton and another lady

lady in a chaise, from the said New-inn at Crows, to the Fox and Goose, which is a house on the road from Crows to Bridgewater, and six miles from Crows: that Mrs. Newton and her companion had come in a chaise from Bristol to Crows the same day, and were then driven by a man whom the deponent knows, and whose name is John Worlock: that the deponent left the said ladies at the Fox and Goose, but a chaise had been ordered by them to go to Stowey. And this deponent saith, he is the more certain the said ladies were going to Stowey, by reason that a boy was sent forwards by them, with a letter to Stowey from Crows, before the deponent set off with the said ladies. And this deponent saith, that to the best of his belief, it is about twenty miles from Wells to Stowey, the direct road; that it is, according to the rate of paying for a chaise, twenty-one miles from Wells to Bristol, eighteen miles from Crows to Bridgewater, and nine miles from thence to Stowey.

WILLIAM STALLARD.

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The Deposition of Robert Woolams.

September 27th 1781.

ROBERT WOOLAMS, of Wells, in the county of Somerset, servant, a witness produced and sworn.

To the seventh article of the said allegation, this deponent saith, that he is, and hath been for some years last past, waiter at the Swan-inn at Wells, and thereby came to know and be acquainted with the Dean of Wells's family, and with Catherine Newton his daughter. And this deponent saith, that on Saturday the fifth of August, 1780, the said Catherine Newton, accompanied by Miss Gapper, came to Wells, and lodged one night at the said Swan-inn, and went away the next morning in a chaise: that the deponent never, before or since, remembers the said Catherine Newton to have slept at the said inn.

ROBERT WOOLAMS.

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*The Deposition of William Thomas.**September 29th, 1781.*

WILLIAM THOMAS, of Crofs, in the county of Somerfet, poftillion, aged thirty years and upwards, a witnefs produced and fworn.

To the eighth article of the faid allegation, this deponent faith, that he lives, as poftillion, at the White Hart-inn, at Crofs, a village diftant from Wells about eleven miles, and in the road from Bridgewater to Bristol, and where he hath lived for fifteen months laft paft. And this deponent faith, that on the 13th of October laft, a gentleman came to the faid White Hart-inn on horfeback, and waited there for fome time, and until two ladies came in a poft-chaise from the Fox and Goose-inn, about fix miles from Crofs, on the faid road from Bridgewater to Bristol: that the faid chaise was driven by a poft-boy, named William Matthew, who is known to the deponent: and, after the faid ladies had been at the White Hart-inn about an hour, (and about nine o'clock at night of the faid 13th of October) the faid ladies got into a poft-chaise, and were driven therein by this deponent, to the entrance

entrance of the town of Wells; at which place they arrived at about twelve o'clock that night: that the said gentleman accompanied the ladies on horseback, and took the things out of the chaise: that when the ladies got out, one of them told the gentleman that Mrs. Newton had not silver enough to give the deponent; and thereupon the gentleman gave the deponent some silver for driving the said ladies. And this deponent saith, that being at Bridgewater the next day, and having there, in conversation, learned that the ladies he had driven the night before, came from Stowey, he afterwards mentioned the same to his mistress, (Grace Perfrey) and expressed his surprise that they should go so much about, the road from Stowey to Wells (the direct way) being about twenty-nine miles, and the way they came being about thirty-seven miles. And this deponent saith, that from his chaise-bills, he is certain as to the driving the said ladies, as aforesaid. And this deponent hath since seen the gentleman who so attended them on horseback; and, upon enquiry, finds his name is Rocke.

The mark of WILLIAM  THOMAS.

The Deposition of Elisabeth Bowen.

ELISABETH BOWEN, wife of the Rev. John Bowen, clerk of Wells, in the county of Somerset, aged thirty years and upwards, a witness produced and sworn.

To the sixth article of the said allegation, this deponent saith, that by her residence in the city of Wells, she hath known and been well acquainted with the Right Hon. and Rev. Lord Francis Seymour, Dean of Wells, and his family, and Catherine Newton, his daughter, for some years last past. And this deponent saith, that some time in the latter end of the summer of last year, and whilst Mrs. Newton resided at Stowey, (but the time more particularly she cannot set forth) the said Mrs. Newton, accompanied by a Miss Gapper, and a Mr. Thomas Wickham, came to pay a visit to this deponent and her husband, (the Rev. John Bowen) at their house at Bishop Lydian, being about seven or eight miles from Stowey: that they came on a Friday, and stayed till the Sunday morning following. And this deponent saith, that the said Mrs. Newton then appeared to be larger in shape than the deponent had ever observed

ved her to be; and from such her appearance, the deponent did think that she was then with child; but the deponent does not recollect any observations being made by any person present on the subject.

ELIZABETH BOWEN.

The Desposition of Hannah Rocke.

HANNAH ROCKE, wife of John Rocke, of the city of Wells, in the county of Somerset, aged thirty-five years and upwards, a witness produced and sworn.

To the second and third articles of the said allegation, this deponent saith, that she hath known the Hon. Catherine Newton for several years; and came so to know her by her residence at Wells, previous to her marriage to John Newton, Esq; and some time in, or about the year 1778, (as near as the deponent can speak as to the time) the said Mrs. Newton came from Paris to her said father's house at Wells; being then, as the deponent understood, seperated from her said husband. And this deponent saith, that
some

some time afterwards, (but how long afterwards she cannot say) Captain John Ackland, an officer in the militia, came to Wells; and, whilst the said Mrs. Newton remained in Wells, this deponent hath seen Captain Ackland and she together; and the deponent understood from common report, that Captain Ackland was very intimate at the deanery.

To the fifth article of the said allegation, this deponent saith, that some time in the beginning of the summer of the year 1780, Mrs. Newton left Wells, and went to reside at Stowey, being about thirty miles from Wells, and about a mile or two from Fairfield, where Captain Ackland has a house; but this deponent knows not of his visiting Mrs. Newton there, or accompanying her thither.

To the seventh, eighth, ninth and tenth articles of the said allegation, this deponent saith, that some time in the month of October, 1780, this deponent was first informed by her husband, John Rocke, that he had let his lodgings to Mrs. Newton, and that she was with child, and was coming to the said lodgings to lye-in; and that therefore Dr. Stevenson, who was then in the said lodgings, must quit as soon as possible. And
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this deponent saith, that she then understood from her said husband, that the said lying-in was to be conducted with the utmost secrecy; and, for that purpose, Mrs. Newton was not to be waited on by any one except him and the deponent. And this deponent saith, that about two or three days after Dr. Stevenson quitted the said lodgings, this deponent's husband went out on horseback in the morning; and the deponent understood he went for the purpose of meeting Mrs. Newton, and conducting her to his said house; and the deponent prepared for her reception accordingly: but the deponent does not particularly remember ordering the servants to bed; but saith, that she remembers Hannah Foxwell was gone to bed at about eleven o'clock that night. The deponent saith, that the said John Rocke returned home, and came in at the back door, and then went into the street, and returned in some minutes: that whilst he was gone, Mrs. Newton and Miss Gapper came in; and this deponent then immediately conducted them up stairs. And this deponent saith, that Mrs. Newton was then very big with child, and every caution possible was made use of to prevent its being known that

that she was in the deponent's house ; and for that purpose, the deponent believes she did at times say, that the lady was named Smith, (meaning Mrs. Newton) and that she was a little insane. And the deponent saith, that from the time Mrs. Newton and Miss Gapper came into the deponent's house, until they quitted the same, the servants were not permitted to see them. And this deponent saith, that, in about a fortnight or three weeks after Mrs. Newton first came to the deponent's house, and on the 20th or 21st of November, 1780, as near as the deponent can speak as to the time, at between five and six o'clock in the morning, Mrs. Newton was, in the deponent's presence, and also in the presence of the said Miss Gapper, delivered of a male child ; but Mrs. Newton never confessed to the deponent, who was the father thereof : that Mrs. Newton had, to all appearance, gone her full time : that, for the purpose of concealing the birth thereof, the said John Kocke went that morning to James Sayer, at West-Herrington, and brought him to Wells. And the deponent then delivered the said child to the said James Sayer, for the purpose of carrying the same to Elizabeth Sayer, his wife, to be nursed ;

nursed: an agreement having been made by this deponent's said husband, previously for that purpose. And this deponent saith, that the said child was accordingly carried, as the deponent believes, by the said James Sayer to Elifabeth Sayer, and hath ever since remained at nurse with her. And this deponent saith, that, in about ten days or a fortnight after Mrs. Newton was so delivered, she, the said Mrs. Newton and Miss Gapper, left this deponent's house, and went in a chaise, hired from Cannon's Grove by the deponent's said husband, for the sake of secrecy, at about five o'clock in the morning. And the deponent understood, and it was agreed upon in the deponent's hearing, that they should go to Stowey, round by Bristol: that, for the sake of preserving the secret, this deponent and her husband continued to act in their house as if the said ladies were there, until a week before Christmas, when they gave out to the servants, that the ladies were gone the night before. And this deponent saith, that, some time about the 7th of December, Mrs. Newton came on a visit to her father, the Dean of Wells, at the deanery.

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To the twelfth article of the said allegation, the deponent saith, that, to her knowledge and belief, she never saw John Newton, Esq; except once at Salisbury, shortly after his marriage: that, from the time Mrs. Newton returned to Wells, from France, as by her pre-deposed, she always understood the said Mrs. Newton was seperated from the producent, her husband; and, from the manner in which she chose to have the lying-in conducted, and the secrefry enjoined by her on the occasion, this deponent doth verily, and, in her conscience, believe, that the child of which Mrs. Newton was so delivered, was not begotten by the said John Newton.

H. R O C K E.

The Deposition of John Roche.

JOHN ROCHE, of the city of Wells, in the county of Somerset, surgeon and man-midwife, aged thirty-six years and upwards, a witness produced and sworn.

To the second and third articles of the said allegation, this deponent saith, that,
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by his residence in the city of Wells, he hath known Catherine Newton, party in this cause, daughter of the Right Hon. and Rev. Lord Francis Seymour, Dean of Wells, from her infancy. And this deponent saith, that, some time three or four years ago, being as near as the deponent can speak as to time, she the said Catherine Newton came to her said father's house, at Wells; and it was then reported, that she came from France, where her husband, John Newton, Esq; the producent in this cause, had left her; and after such her, the said Catherine Newton's return to Wells, and previous to her going to Stowey, as hereafter by him deposed to, he has seen the articulate Captain Ackland, an officer in the militia quartered at Wells, several times walking and riding out with the said Catherine Newton. And this deponent hath heard, that he slept at the deanery, and was intimate in the Dean's family: that, some time in the year 1779, this deponent saw the said Captain Ackland and Catherine Newton at a masquerade in Wells, and they danced together; but whether they were dressed as articulate, cannot recollect. And further to these articles he cannot depose.

To the fifth article of the said allegation, this deponent says, that some time in the spring of the year 1780, to the best of this deponent's knowledge as to the time, she the said Catherine Newton quitted Wells, and went to reside at a house at Stowey, which is twenty-eight or twenty-nine miles from Wells; and, as the deponent has heard, about three or four miles from Fairfield, at which place the said Captain Ackland had a house: but further he cannot depose.

To the seventh, eighth, ninth, tenth, and eleventh articles of the said allegation, the deponent saith, that some months before the said Catherine Newton came to this deponent's house, but more particularly as to the time he cannot depose, the articulate Captain Ackland came to this deponent, apparently alarmed, and told this deponent, he was afraid Mrs. Newton (meaning the said Catherine Newton) was with child. And the said Catherine Newton, two or three times afterwards, sent to this deponent to come to her at Stowey; and he accordingly visited her there; and, from her own supposition, and the nature of her complaints, this deponent concluded that she was with child. And this deponent
saith,

faith, that six or eight weeks previous to the said Catherine Newton's coming to this deponent house, it was agreed, between the said Catherine Newton and this deponent, that she the said Catherine Newton should come to this deponent's house at Wells, to lye-in privately; but whether such agreement was settled at Stowey or elsewhere, this deponent cannot recollect: that at the time such agreement was so made, the articulate Dr. Stevenfon was in the deponent's lodgings, but quitted the same some days previous to the said Catherine Newton's coming to lye-in in this deponent's house; which was so agreed to be conducted with the utmost secrecy; and that Miss Gapper articulate should attend her. And this deponent verily believes, that at that time, no other persons, save the said Captain Ackland and Miss Gapper, was acquainted therewith. And this deponent says, that in pursuance of the plan that was agreed on between the said Catherine Newton and this deponent, he, this deponent, some time in the latter end of October, or beginning of November, 1780, (but the particular day he cannot set forth) went to meet the said Catherine Newton and Miss Gapper at the
White

White Hart-inn at Cross, where they arrived in the evening, and were conducted in a post-chaise, attended by this deponent on horseback, to this deponent's house at Wells, where they arrived about twelve o'clock at night, and were conducted up stairs. And this deponent says, that, for the preservation of secrecy, she, the said Catherine Newton, from the time she so entered into this deponent's house, to the time of quitting the same, was constantly and only attended by the deponent and his wife and fellow witness, Hannah Rocke, and who was the only person in the deponent's family who was made acquainted with the said Catherine Newton's being with child. And this deponent says, that in about a fortnight or three weeks after the said Catherine Newton first came to lodge at the deponent's house aforesaid, and on a morning between five and six, and about the twentieth or twenty-first of November, 1780, as near as the deponent can recollect as to time, the said Catherine Newton was delivered by this deponent, in his said house, of a male child, in the presence of this deponent's wife and fellow witness, Hannah Rocke, and the said Miss Gapper: that the said Catherine Newton had
gone

gone her full time of the said child, according to the best of the deponent's judgment; but the deponent never, to his recollection, heard her declare who was the father thereof: that this deponent, that same morning, went over to West-Herrington, which is about two miles from Wells, and brought back the articulate James Sayer, to whom the said child was delivered, in order for him to carry the same to his wife, Elizabeth Sayer, with whom this deponent had previously made an agreement for that purpose, and with whom the said child still remains at nurse. And this deponent saith, that in about ten days or a fortnight after she the said Catherine Newton was so delivered by this deponent as aforesaid, she the said Catherine Newton, being pretty well recovered from her lying-in, a plan was formed for her return to Stowey, with the same secrecy as she came to the deponent's house: and accordingly this deponent procured a chaise to come from Cannon's Grove, which is six or seven miles from Wells, at about five o'clock in the morning: and they, the said Catherine Newton, and Miss Gapper, quitted this deponent's house therein, and went with an intention of going round by

by Bristol: and after they the said Catherine Newton and Miss Gapper were gone, the appearance of their still being in the deponent's house was kept up for some time, in order to prevent suspicion that it was the said Catherine Newton who had so been at the deponent's house. And this deponent saith, that some time in the month of December, 1780, and before Christmas, but more particularly as to the time the deponent cannot speak, she the said Catherine Newton came from Stowey to her father's house at Wells, on a visit. But further to these articles he cannot depose.

To the twelfth article of the said allegation, this deponent says, that he does not personally know John Newton, Esq; the producent in this cause, not having to his knowledge seen him any more than twice, and that for some years since. But this deponent saith, that he the deponent always understood and believes, that the said Catherine Newton, from the time she returned from France to her father's house, was separated from her said husband; and from the manner the said Cath. Newton chose to conduct her lying-in, and the secrecy maintained and preserved at her desire, on that occasion, this deponent doth
verily

verily, and in his conscience believe, that the child of which the deponent delivered the said Catherine Newton, as aforesaid, was not begotten by her husband: but further he cannot depose.

JOHN ROCKE.

The Deposition of Hannah Marshal.

HANNAH MARSHAL, wife of Geo. Marshal of Boswell-court Queen's-square, in the parish of St. George, Bloomsbury, in the county of Middlesex, aged thirty-one years and upwards, a witness produced and sworn.

To the second and third articles of the said allegation, this deponent says, that she first came to know and be acquainted with John Newton and Catherine Newton, parties in this cause, by going to live as servant in their family as lady's maid, in the month of June, 1776, as near as the deponent can now recollect as to the time. This deponent says, that some time in the month of October, 1777, the said Catherine Newton and John Newton, Esq; set off for Paris in France, attended by this
N deponent;

deponent ; and he the said John Newton returned to England, and brought the deponent back, some time in the latter end of the next month : that the deponent then went home to her father's, leaving the said John Newton at King's Bromley, Staffordshire, apart from the said Catherine Newton, his wife. And this deponent says, that she went again to live servant with the said Catherine Newton, in the month of March, 1778, she the said Catherine Newton being come back from France, and residing with her father, the Rt. Hon. and Rev. Lord Francis Seymour, Dean of Wells, at Wells in Somersetshire, and the deponent continued in such her service till the month of May, 1780. And this deponent saith, that in the course of the year 1779, and whilst the said Catherine Newton resided with her father as aforesaid, the articulate Captain Ackland, an officer in the militia, became very intimate in the said Dean's family, and spent most of his time with them, and slept at the deanery at Wells, and a particular intimacy appeared to be formed between the said Catherine Newton and Captain Ackland : that this deponent hath, either in the latter end of the year 1779, or beginning of the year 1780, several

veral times seen the said Catherine Newton in the said Captain Ackland's bed-chamber, and at other times hath seen them in her bed-chamber with each other. But this deponent does not recollect ever to have seen any indecent familiarities pass between them: that they would frequently go out on horseback, or in a one horse-chaise together, attended by the man servant, and would sometimes walk out alone together: that some time in the month of January, 1780, the said Captain Ackland and Catherine Newton went to a masquerade, given at Wells, dressed in foreign dresses. And this deponent says, that, from the general behaviour of the said Catherine Newton and Captain Ackland towards each other, there appeared to be a mutual regard and affection formed and subsisting between them. But further to these articles she cannot depose.

To the fourth and fifth articles of this allegation, this deponent saith, that some time in the beginning of the month of February, 1780, she the said Catherine Newton, accompanied by Miss Gapper, articulate, went to pay a visit to the Rev. Mr. Wickham, at Horsington, and stayed there about three weeks; and in the month of March, went on another visit to

Henstridge, to the house of Mr. Gapper, an attorney at law, and stayed there a few days; at both which times, the said Catherine Newton carried such linen with her as she always used on account of her monthly discharges, and brought the same back without any appearance of having been used, from which circumstance, she the deponent was induced to think, she the said Catherine Newton was then with child. And this deponent saith, that on, or about the first of May, 1780, she the said Catherine Newton quitted her said father's house at Wells, and went to reside at Stowey, at a house she had taken there; and this deponent thereupon quitted her service, and hath never seen her since. And further to these articles she cannot depose.

To the twelfth article of the said allegation, this deponent saith, that from the time this deponent went to live with the said Catherine Newton, in or about the month of March, 1778, at her father's house at Wells, as aforesaid, to the time the deponent quitted her service on her going to Stowey in the beginning of May, 1780, she the said Catherine Newton constantly resided with her said father either at Wells or Henstridge, and was constantly

ly attended and waited on by this deponent, save and except that she the said Catherine Newton went on a visit for about eight or ten days, in or about December, 1778, to her uncle Lord William Seymour, about fifteen miles from Bath, where she was attended by the deponent; and also save and except her the said Catherine Newton's visits in February and March, 1780, to Mr. Wickham and Mr. Gapper, as by her deposed to. And this deponent says, that she the said Catherine Newton, during all the time the deponent so attended her, lived separate and apart from the said John Newton her husband, and had not, as the deponent verily believes, any access, intercourse, or connection whatever with him. And further she cannot depose.

HANNAH MARSHALL.

The

The Deposition of Ann Atwood.

ANN ATWOOD, wife of Jacob Atwood, of Whych-street, in the parish of St. Clement Danes, in the county of Middlesex, aged thirty-one years and upwards, a witness produced and sworn.

To the third, fourth, and twelfth articles of the said allegation, this deponent saith, that she lived servant in the family of the Rev. Mr. Wickham, at Horsington, in the county of Somerset, for about two years, and quitted such service about Midsummer, 1780: that Catherine Newton, party in this cause, and daughter to the Dean of Wells, occasionally visited in the said family, and thereby became known to the deponent. And this deponent saith, that some time in the beginning of the month of February, 1780, she the said Catherine Newton, accompanied by the articulate Miss Gapper, came on a visit to the said Mr. Wickham, and stayed with the family about a fortnight or three weeks; and in about four or five days after the said Catherine Newton so came to Horsington, the articulate Captain Ackland, whom

whom the deponent also personally knew, came there, and slept at Mr. Wickham's, and continued there as long as Mrs. Newton remained in the family; but the deponent did not observe any particular familiarities pass between them: that this deponent knows not the producent, John Newton, Esq; but always understood that she the said Catherine Newton was a married woman, and was separated from her husband: but further she cannot depose.

ANN ATWOOD.

The Deposition of John Davis.

JOHN DAVIS, of the city of Bath, in the county of Somerset, aged forty years and upwards, a witness produced and sworn.

To the first, second, and third articles of the said allegation, this deponent saith, that he first came to know the Hon. Catherine Newton, party in this cause, by his going to live as a servant with her father, the Right Hon. and Rev. Lord Francis

cis Seymour, in the month of April, 1776: that Mrs. Newton was not then married, but lived with her said father at Wells. And this deponent saith, that in little more than a year and a half after her marriage, to wit, some time in the beginning of the year 1778, the said Mrs. Newton, being separated from her husband, she returned to her said father's house at Wells; and some time in the spring of the year following, John Ackland, Esq; who was an officer in the militia, quartered at Wells, became very intimate in the Dean's family; and, towards the latter end of the said year, (as the deponent best remembers) Captain Ackland came on a visit to the deanery, and was there, and with the family, until the latter end of April, or beginning of May following; and, during that space of time, almost constantly slept, either at the deanery at Wells, or at Lord Francis Seymour's other house, at Henstridge in the same county. And this deponent saith, that a very particular intimacy appeared to be then formed between Mrs. Newton and Captain Ackland; and such intimacy was visible to all the family; and they were considered as lovers among the servants; that

that Mrs. Newton and Captain Ackland were almost constantly together in the day-time ; and, let there be what company soever at the deanery, Captain Ackland always sat next to Mrs. Newton, and they were constantly whispering each other at table. And this deponent saith, that during the visit of Captain Ackland to the family, as aforesaid, this deponent hath frequently seen Mrs. Newton sitting in the most familiar manner on Capt. Ackland's knee, with his arm round her waist. And this deponent hath frequently seen them walk out alone together, arm in arm ; and the deponent hath known them to go out shooting together, and she would at times carry the gun : that during the time Captain Ackland was on such visit at the deanery, he used to have a fire in his bed-chamber. And this deponent hath several times known Captain Ackland's servant to be waiting in the servant's hall, for an hour after the family were gone to bed ; and hath heard him complain, at such times, that he could not put his master to bed, as Mrs. Newton and Miss Gapper were in his bed-chamber with him. And this deponent saith, that there was a way from

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Mrs.

Mrs. Newton's bed-chamber to that of Captain Ackland; but this deponent never saw them in each others bed-chamber.

To the fifth article of the said allegation, this deponent saith, that, sometime in the latter end of April or beginning of May, 1780, Mrs. Newton went to reside at a house she had taken at Stowey, which is about twenty-eight miles from Wells, and about two miles from Fairfield, where Captain Ackland has a house: that Captain Ackland left the deanery at the same time, and accompanied Mrs. Newton: that this deponent continued in the service of the Dean, and therefore knows not what passed at Stowey.

To the twelfth article, this deponent saith, that, by living servant with the Dean of Wells, at the time of the marriage of Mrs. Newton, this deponent became personally acquainted with John Newton, Esq; and, during this deponent's continuing in the said service, which was until the 26th of March now last past, the deponent saith he never saw the said John Newton, Esq; after the return of Mrs. Newton, in the beginning
of

of the year 1778: that Mrs. Newton, from the time she so returned to Wells, as aforesaid, until she went to Stowey, was constantly resident in her said father's family, wherein this deponent lived servant, either at Wells or Henstridge; save and except that she went on a visit, for about a fortnight, to her uncle, Lord William Seymour, in Wiltshire, about thirty miles from Wells, in the summer of the year 1779; and also on a visit to the Rev. Mr. Wickham at Horfington, where she stayed some weeks about Christmas time, before she went to Stowey, as the deponent best recollects. And this deponent therefore saith, that he is certain, there never was any access, intercourse, or connection between the said Mrs. Newton and the said Mr. Newton, during the whole winter of the year 1779, or the month of January, February, March, and April, of the year 1780.

JOHN DAVIS.

*** The Sentence pronounced by the Court was, that John Newton, Esq; should be divorced from bed, board, and mutual cohabitation with Catherine Newton, his wife.*

Ex J. H. A.
4/9/1704

*Dedicated to Miss Ann Cateley, formerly a
Pupil of Sir Francis Delaval.*

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KNIGHT OF THE BATH
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